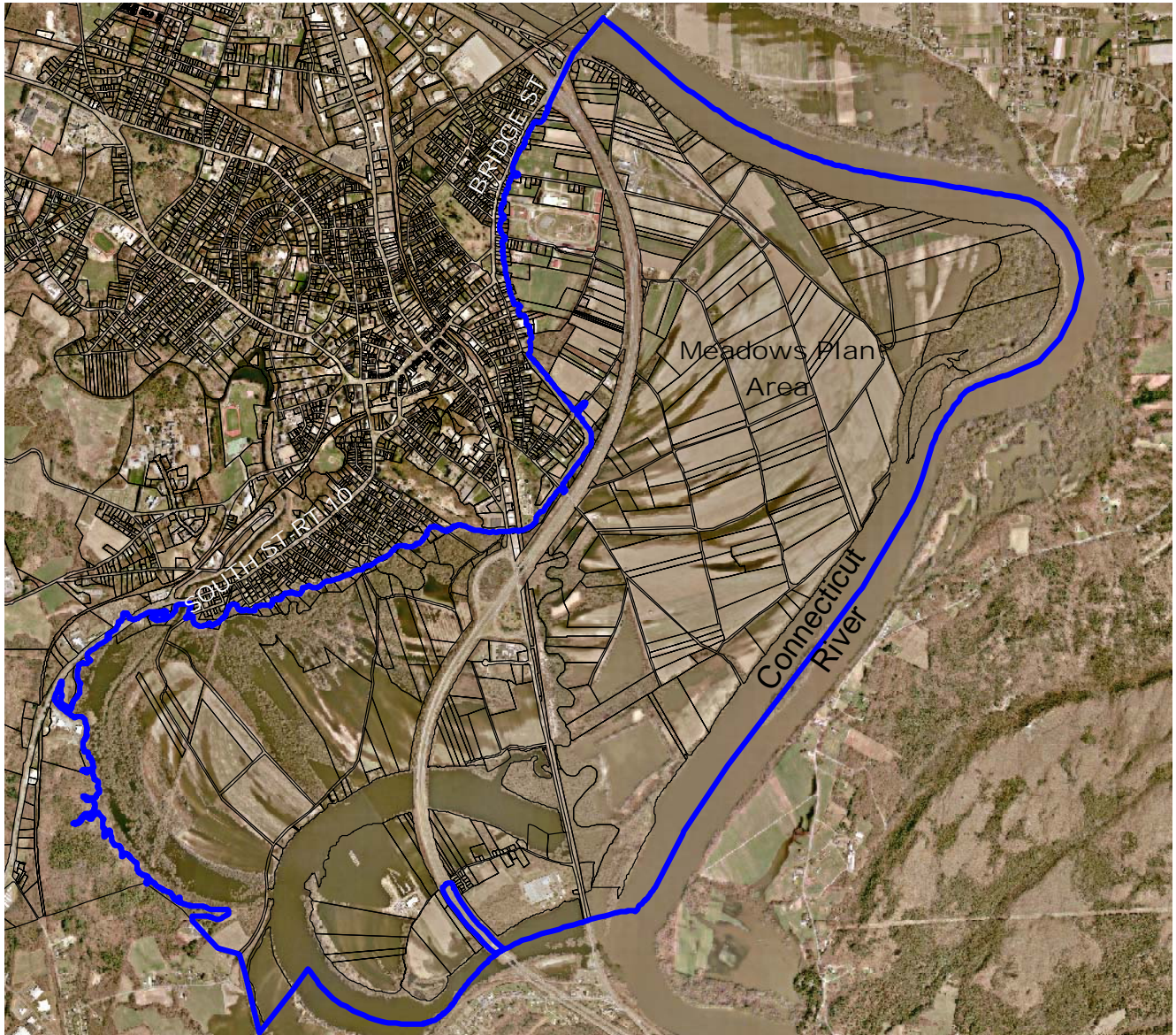


CITY OF NORTHAMPTON

Meadows Land Use Plan



City of Northampton
June 2005



Ward 3 Neighborhood Association:

Ward Councilor- Marilyn Richards

Ward 3 Neighborhood Association Chair- Bob Reckman

Meadows area residents, businesses and property owners

Meadows Land Use Plan, an element of citywide Comprehensive Plan:

Economic Development , Housing & Land Use and Committee	June 13, 2005
Northampton Planning Board, Public Hearing	June 9, 23, 2005
Adopted by Planning Board	June 23, 2005
City Council Endorsement	August 18, 2005

Planning Board

Keith Wilson, Chair

Ken Jodrie

George Kohout

David Wilensky

Paul Voss, Associate

Paul Diemand, Vice Chair

Francis Johnson

William Letendre

Jennifer Dieringer, Associate

City of Northampton Staff

Carolyn Misch, AICP, Senior Land Use Planner/Permits Manager

James Thompson, GIS Coordinator

Public Forums:

January 6, 2005 Farmers

January 12, 2005 Ward 3 Association

January 19, 2005 Owners

January 25, 2005 Business Owners

February 1, 2005 Others

February 22, 2005 Follow up

May 3, 2005 Review of Draft Plan

Executive Summary:

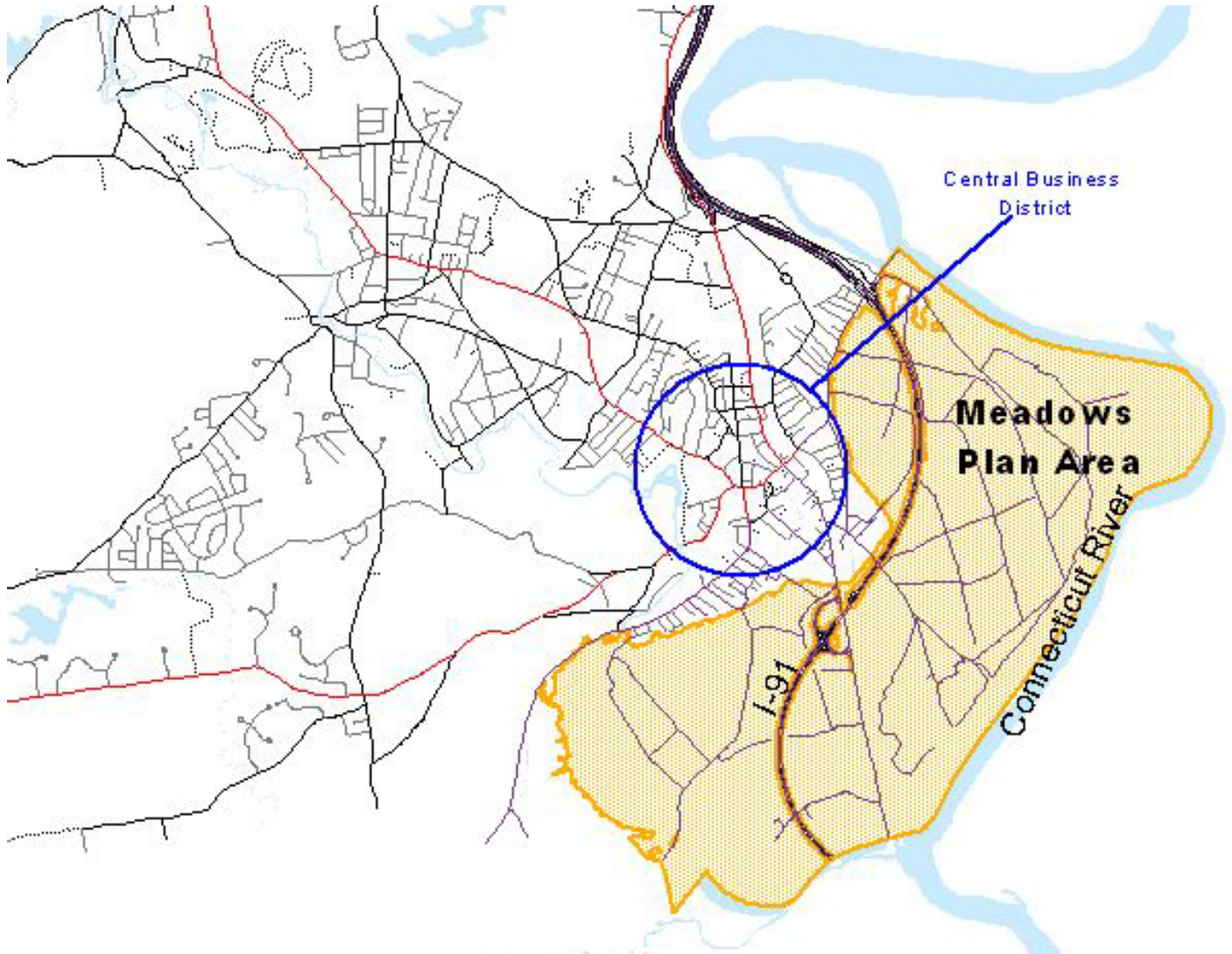
The Meadows Land Use Plan is a policy plan that will become part of the overall citywide comprehensive plan and complements other plan documents adopted by the Planning Board. These policies will guide the use of land within this area and provide recommendations for actions to address issues that have been identified by the community. This plan encompasses an area of approximately 4,000 acres bounded on the east by the Connecticut River and stretching from the Calvin Coolidge Bridge on the north to the Oxbow Marina to the south and encompassing Mass Audubon's Arcadia Sanctuary to the west. Much of the land within the Meadows Plan is within the 100 year floodplain of the Connecticut River as mapped by the Federal Emergency Management Agency(FEMA). The map below generally represents this area.

This plan was created out of discussions with various interests representing business owners, property owners and the Ward 3 Neighborhood Association through five focus groups. The goal of this plan is to:

- to address the many concerns expressed by property owners;
- make clear the current local zoning, state, and federal regulations;
- explore the desire to maintain open space and support agriculture;
- plan for the pressures of development and its implications.

This plan largely represents widespread agreement on the vision for future use of the Meadows and policies and actions that should be undertaken to realize this vision. An appendix is attached which

includes actual language for specific zoning ordinance amendments that are identified in the proposed actions section of this plan.



Meadows Locus Plan

Background:

The plan was initiated by the residents of Ward 3 Neighborhood in an effort to address concerns by property owners about existing problems as well as the desire to clearly understand development pressures and direct how the area could be maintained essentially as it is now. Additionally, this plan process serves as a follow up to the City's Flood Hazard Mitigation plan process.

Ward 3 Neighborhood Association sponsored five public focus groups in early 2005, with assistance from the City. An estimated 300 people participated in these forums and specific comments were recorded and can be found in the attached appendix. In a sixth and final forum, issues and areas of agreement were confirmed. The goals, policies, and action items within this plan reflect these accepted principals for use and how to address future existing concerns and issues. Other issues where no consensus could be confirmed have been noted as items that necessitate further discussion and assessment.

Through these focus groups, the benefits and values of the meadows were articulated. These values and important qualities enhance the neighborhood, city and region at large. They include the presence of rich and unique agricultural soils, open space that provides unparalleled scenic vistas and beauty as well as enhances business values, a variety of recreational opportunities for boating, walking, biking, flying etc. This area also acts as a rich ecological resource for local and migratory species with its forests, fields and river providing crucial nesting and feeding areas. Many deemed the simple reality of its privacy and quiet reprieve as an important feature to highlight. Finally many also noted the importance of the accessibility of the Meadows from multiple paths, streets and roads that surround the plan area.

These qualities attract users from the city and region to enjoy the area. They consequently give rise to some unintended and undesirable consequences such as illegal use of private property, property damage and illegal dumping. Other issues relate to the basic premise that this area is within the FEMA floodplain and residents in the Meadows not only deal with seasonal flooding but also the regulatory structure that has been created at the local, state and federal level to address the technical nature of building and expanding within such a resource area. It is broadly acknowledged that this complex, interwoven structure is unduly burdensome, confusing, and to some extent unnecessary. Policies and goals and action items have been drafted to remove overlapping regulations at the local level.

Existing Zoning Districts and Land Uses:

There are five zoning districts within the plan area and one overlay district. For the most part, land uses within the plan area are consistent with the designated zoning district. Three of the five districts are residential use districts. Allowed uses within each district are noted in the table below.

The Special Conservancy District (SC) is the largest of the residential districts and currently represents the most restrictive residential classification within the city since it covers the area within the FEMA 100 year floodplain. This zoning district was established in the early 1970's prior to the Wetlands Protection Act and it has not changed significantly since that time. Most uses within this district are residential and/or agricultural and many of the residences, particularly along Riverbank Road, do not meet the minimum dimensional standards established in this district for lot area, open space and setbacks. This makes expansions of existing structures more complicated. Some non-residential uses are allowed with a special permit within the SC district such as the Northampton Airport and the Oxbow Marina. Other agricultural-related businesses are allowed by-right. All improvements of greater than 15% value (substantial improvement) require a special permit from the Planning Board.

For all districts in the plan area except the SC, a Watershed Protection (WP) overlay district applies in addition to the underlying uses defined within the specified district. The WP overlay solely regulates activities within floodplains and identifies mitigation and avoidance measures to reduce the impacts of flooding on downstream properties. The requirements are applied above and beyond any required by the general zoning district. All improvements within this overlay district of greater than 15% value (substantial improvement) require a special permit from the Planning Board.

The Suburban Residential (SR) district with a WP overlay is located in the wedge of land bounded by I-91, Bridge Street, and Pomeroy Terrace. This allows residential uses only and requires slightly less restrictive dimensions for open space and lot area. However, the overlay district requires review for any substantial improvements, similar to those required in the SC district.

The Urban Residential B district (URB) with a WP overlay is the zoning district designated for the Island Road Ferry Avenue area. This district allows up to three-family residential uses (depending on lot size) and the least restrictive dimensional requirements of the three residential zones. However, the WP overlay mandates the same permitting process for improvements over 15% as in the other two districts.

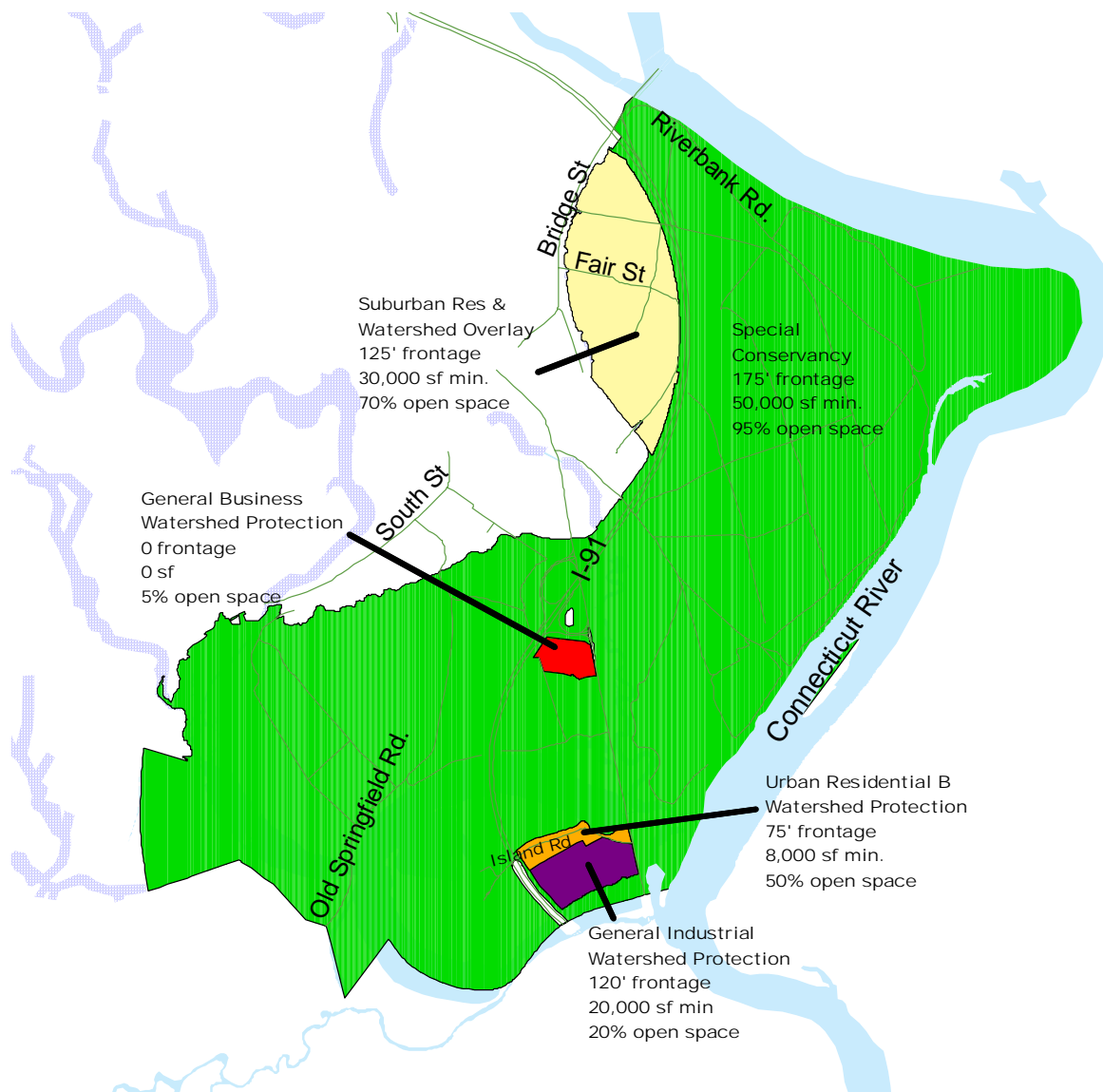
The two commercial districts within the Meadows area are located along the Route 5 corridor. The Clarion Hotel and all of the parcels on Atwood Drive and Route 5 are designated as General Business (GB) with a WP overlay. This allows general office, retail, and miscellaneous commercial uses but properties are also subject to the 15% substantial improvement threshold that requires a special permit from the Planning Board.

Finally, there is a General Industrial District (GI) with a WP overlay located at the Oxbow/Route 5 Bridge and Island Road intersection. Warehousing, manufacturing, some limited office uses are generally allowed within the GI district. The 15% substantial improvement threshold applies in this area as well.

A few non-conforming businesses exist. However, the City's zoning ordinance allows continued use, changes, and expansions of non-conformities either by-right or with Zoning Board of Appeals approval, depending on the nature of the request.

Zoning District	Uses Allowed By Right ♦	Uses allowed by Special Permit ♦	Open Space Required	Lot Area Required (square feet)
SC	Agricultural, Day Care, Educational	Single-family residential, Outdoor Recreation, Airport, stables, kennels, substantial (15%) improvements, accessory apartments (attached only).	95%	50,000
SR (WP overlay)	Single Family Residential, Accessory Apartments (attached)	Fair, substantial (15%) improvements, detached access. apartments	70%	30,000
URB (WP overlay)	Single, 2-Family Residential, Accessory apartments (attached)	3-family residential, substantial (15%) improvements, detached accessory apartments.	50%	8,000/12,000
GB	Retail, commercial, hotels, some auto uses, multi-family, mixed uses, agricultural uses	Research & Development, telecommunications, auto sales, substantial (15%) improvements	5%	0
GI	Manufacturing, warehouse, office	substantial (15%) improvements	20%	20,000

♦ represents the major use classifications, but not all uses allowed.



Meadows: Existing Zoning

Vision for the Meadows:

The Meadows represent a valuable resource for the city, region, and state. This agricultural, recreational, historic, and cultural resource enhances the quality of life for all residents of Northampton. The area also generates recreation, tourism, and economic benefits at the Three-County Fair, Northampton Airport, Oxbow Marina, and existing business districts. There is widespread agreement that these resources and opportunities should be supported and strengthened in a way that does not significantly change the existing character that is defined by these unique qualities. Thus, the vision for the Meadows is to preserve the essential character of the area.

Goals:

- Preserve and encourage agricultural uses. These are crucial to maintaining the economic viability of farming within the city and preserving scenic, ecological, environmental benefits for the City as whole. The City should support it through allocation of resources and infrastructure investments.
- Ease regulatory burden on landowners who wish to maintain or expand their homes or businesses.
- Encourage improvements to existing businesses to maintain their viability and thereby reduce the potential for sale or conversion to alternative uses.
- Maintain the primarily open and agricultural nature of the Meadows as it is today with no new residential lots and no significant increase in residential density.
- Preserve floodplain as a resource to prevent other areas and neighborhoods from flooding.
- Sustain existing uses in order to prevent conversion to new uses.
- Reduce destructive and illegal use of private property. Reduce illegal dumping.
- Increase public awareness of private property boundaries, by clearly identifying public space and roads.

Policies:	Responsible Parties:
General Use: The City should continue to support farming as a vital resource for the community at large. Financial opportunities to assist farmers with farming, and partnering opportunities to preserve agricultural land should be sought when possible. The City should make infrastructure improvements, as feasible, that facilitate production and access to farm parcels.	Farmers, City, DPW
Protect the meadows as a floodplain resource for flood storage capacity. As described elsewhere in the Flood Hazard Mitigation Plan, this floodplain is necessary to function as overflow of the Mill and Connecticut Rivers. If it is not maintained, widespread damage to private property beyond the exiting floodplain area could occur.	City, Residents
Restrict illegal motorized access and use of meadows trails and roads, to the extent feasible.	Residents, City
Residential Development: The existing historic neighborhoods within the Meadows are an important character-defining element of the area. The City should ease local restrictions, to the extent feasible, to allow existing residential structures to be improved/expanded. Expansions should be allowed so long as flood storage is not lost and criteria within state codes are met.	City
Allow limited increase in residential units through the addition of accessory dwelling units but prohibit new residential units on lots that do not currently contain residential structures anywhere within the Meadows.	City
Business Development: Allow development in areas currently zoned General Business and General Industry. In other districts allow expansions of businesses on lots currently in business use. Do not expand or create new commercial and industrial zones within the Meadows.	City, Businesses

The Airport is an important resource for maintaining open space, providing recreational opportunities, and economic development for the city. The City should support the viability of the Airport, including ancillary uses that strengthen its long-term operation. The City and the Airport will work together to maintain the airport size and capability as a small utility airport serving small aircraft as defined by the FAA. Airport expansions and runway extensions should be consistent with the airport's functioning as a small utility airport and should not expand the airport use into larger classes of aircraft.	City, Residents, Airport
The Fair is a valuable resource and should be supported so that it can continue to be a viable operation into the future. To that end, the Fairgrounds and its Association, the City, the Chamber, and residents will continue to collaborate on a plan to improve it as an agricultural and exhibition facility.	City, Residents, Fair, Chamber
The Oxbow Marina, as an allowed outdoor recreational use in the SC district, serves an important recreational need. Expansions that meet the Wetlands Protection Act standards and any other local standards should be supported.	
Conversion of existing business, within residential/SC districts, to uses not allowed under zoning is not desirable. In the event that the airport, fairgrounds, or other uses are discontinued, this policy will be reevaluated and the city will seek reuse options via a public process that includes the neighborhood, the City and its boards, and the business community.	City, neighborhood, property owners, Chamber
Infrastructure Policies: Consistent maintenance of public roads used for farming should be implemented to support farming use.	City, DPW
Improvements to support neighborhood use, including drainage improvements, should be incorporated into citywide infrastructure budget.	City, DPW
Other:	
Neighborhood policing	
Neighborhood clean up days	

Action Items	Responsible Party	Partners	Timeframe
<p>1. Change Zoning Ordinance to allow expansions to existing homes, existing businesses, and businesses within existing business districts.</p> <p><u>Proposed Zoning Changes:</u></p> <ul style="list-style-type: none"> • Change URB/WP & SR/WP to SC with new dimensional standards equal to URB for existing homes. Allow Fair as use within the SC. • Drop Planning Board special permit for substantial improvements in the SC (15% value threshold will be dropped) for residences and businesses. • Drop Planning Board special permit for attached accessory apartments • Allow detached accessory apartments with ZBA special permit. • Change open space requirements for existing residential structures to allow modest expansions. • Change open space requirements in the SC for existing commercial uses that are 	City Council	Planning Board/ Office of Planning & Development/ Property owners, Mayor's Office of Economic Development	Summer/fall 2005

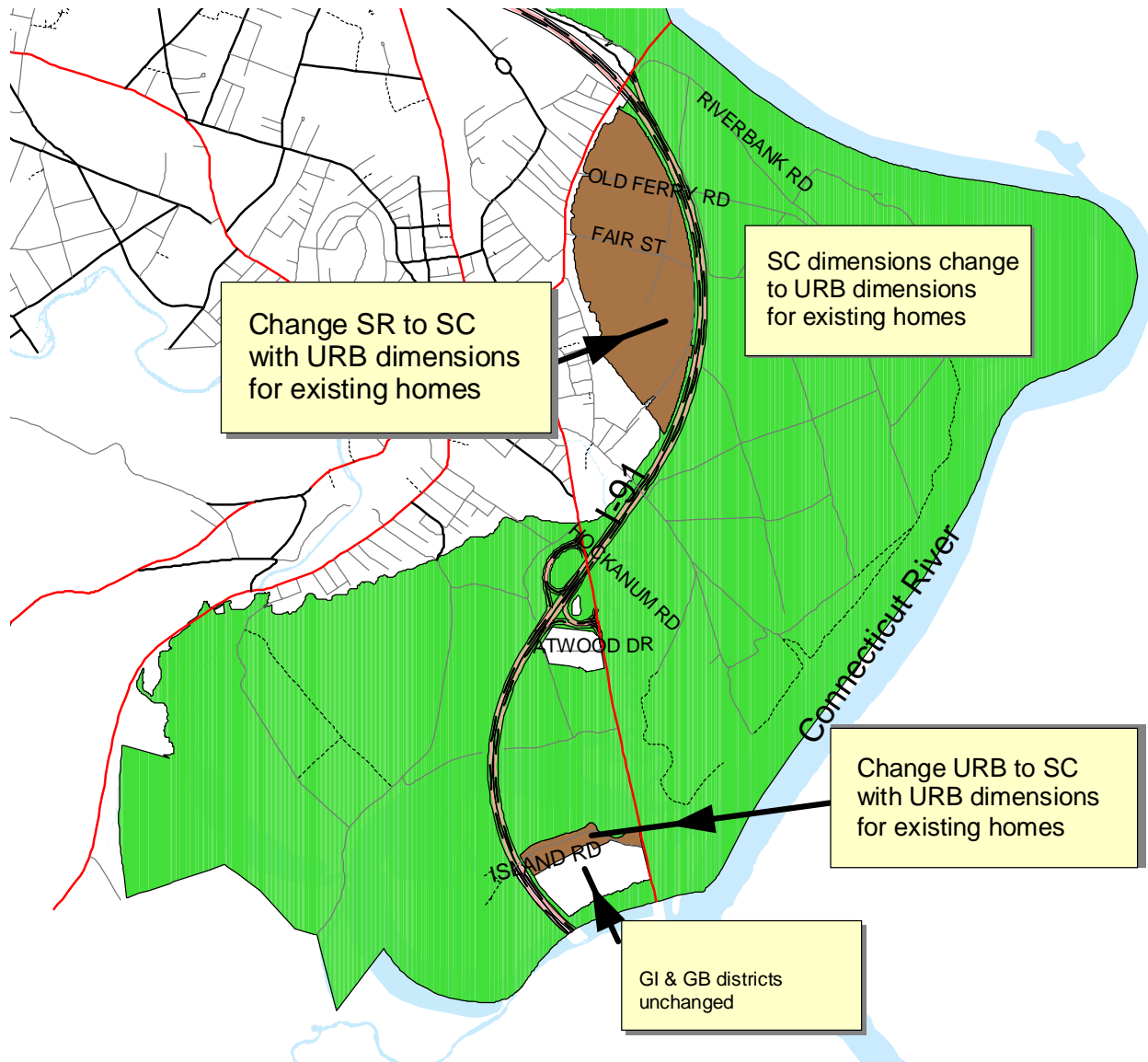
legally pre-existing non-conforming or have been issued special permits.			
2. Change Zoning Ordinance to prohibit creation of new residential structures on new lots.	City Council	Planning Board/ Office of Planning & Development Neighborhood	Summer/fall 2005
3. Clarify and define existing and any proposed regulatory requirements and steps in the process for building within the floodplain.	Office of Planning & Development Ward Councilor	Mayor's Office of Economic Development	Summer/fall 2005
4. Create long-term infrastructure maintenance and improvement plan with prioritized items and search for resources, (includes Old Springfield Bridge replacement).	City Council DPW	Neighborhood/ Community	2006
5. Develop protocol between neighborhood and police department to establish effective mechanism to eliminate dumping and deter destruction of property (vandalism, crop damage etc) presence of enforcement or community policing and deterring illegal ATV use.	City Council Police Department	Ward 3 Residents	Summer 2005- Ongoing.
6. Develop community educational campaign on rights/responsibilities of the public, mapping public areas.	Ward Councilor	Office of Planning & Development Neighborhood	Fall 2005- ongoing
7. Pursue funding mechanisms that help sustain farming viability, open space and recreational opportunities.	City Council	Community/ Office of Planning & Development	Ongoing
8. Organize Clean-up Days	Ward 3 Association	DPW	Annually
9. Have the State review all zoning changes proposed within the floodplain to ensure consistency with federal requirements	Commonwealth / City Staff		Summer 2005

Issues for Further Investigation and Clarification	Responsible Party	Partners	Timeframe
River bank erosion- needs more investigation to determine how to address this and identify ancillary impacts.	Conservation Commission, City		
Look at creative mechanism for creating community wide or organized/cumulative flood storage areas that meets the regulatory requirements under the WPA. for expansions to existing residential structures/uses such as garages, septic ect.	Conservation Commission	Dept of Environmental Protection	2006-07

Appendix

1. Language and Map for proposed zoning.
2. Map of public/private roads
3. Protected Lands Map
4. Comments from all forums

1. Zoning Map Changes and Proposed Text changes:



1. Rezone all residential districts in Meadows area to SC
2. Eliminate WP from areas that are SR in the Three-county fair area and along Island Road.
3. Rezone residential WP areas within the FEMA 100 year flood areas outside the Meadows to SC.
4. Change language in sections 13, 14 to be consistent with above changes.
5. Change Section 5 (p.5-6) to allow agricultural fairs in SC and not in SR(because Fair zone changes to SC).

Two Thousand Five

Councilors Marilyn Richards

Appendix A §5.2

Amend Special Conservancy District to allow expansions of existing residences and businesses without a planning Board Special Permit and allow Attached Accessory Apartments by right and detached Accessory Apartment by Zoning Board of Appeals Special Permit.

Section 5.2

{Amend §5.2 by making the following changes to the various sections}

Section 5.2 Table of Use Regulations															
Principal Use	Residential					Business					Medical	Industrial		Business Park	Conser.
	RR	SR	URA	URB	URC	CB	GB	HB	NB	PV	M	GI	SI	BP	SC

Work in Watershed Protection (WP) Overlay District Only if use is otherwise allowed by zoning. ➤See §14.0															
New <u>Commercial</u> structures or Substantial Improvements in WP, <u>meeting all requirements under state building code and Wetlands Protection Act, city ordinances</u>	<u>PB</u> <u>N/A</u>	<u>PB</u> <u>N/A</u>	<u>PB</u> <u>N/A</u>	<u>PB</u> <u>N/A</u>	<u>PB</u> <u>N/A</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>No</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>PB</u> <u>Site</u>	<u>N/A</u> <u>PB</u>

Residential NOTE: Other types of affordable housing with a Comprehensive Permit from the Zoning Board of Appeals MAY be allowed in any zoning district																
One-family dwellings (*on a lot in existence on 1/1/2001)(<u>♦Except for replacement of single family homes where homes existed or received permits by 6/30/05 & where replacements are built within 3 years of demolition of previous home)</u>	A	A	A	A	A	No	No	No	PB	A*	No	No	No	A	PB <u>No♦</u>	
Accessory apartment in single-family homes ➤ See §10.10 (<u>♦Within homes existing as of 6/30/05 and for those that meet all state building codes and requirements under the Wetlands Protection Act and ordinance.</u>)	A	A	A	A	A	No	No	No	A	No	No	No	No	A	No <u>A♦</u>	
Detached accessory apartment for single-family home meeting same setback requirements as a new single-family home in that district ➤ See §10.10 (<u>♦ for homes existing as of 6/30/05 and for those that meet all state building codes and requirements under the Wetlands Protection Act.</u>)	ZBA	ZBA	ZBA	ZBA	ZBA	No	No	No	ZBA	No	No	No	No	ZBA	No <u>ZBA♦</u>	

Agricultural Uses																
Agricultural fair and/or exhibition grounds for events not exceeding eleven (11) days duration	No	PB No	No	No	No	No	No	No	No	No	No	No	No	No	No	No PB
Agricultural fair and/or exhibition grounds for events exceeding eleven (11) days duration	No	CC No	No	No	No	No	No	No	No	No	No	No	No	No	No	No CC

Two Thousand Five

Councilors Marilyn Richards

Appendix A §6.2

Amend Special Conservancy District dimensions to allow expansions of existing residences and businesses by reducing the open space requirements and restricting new housing development

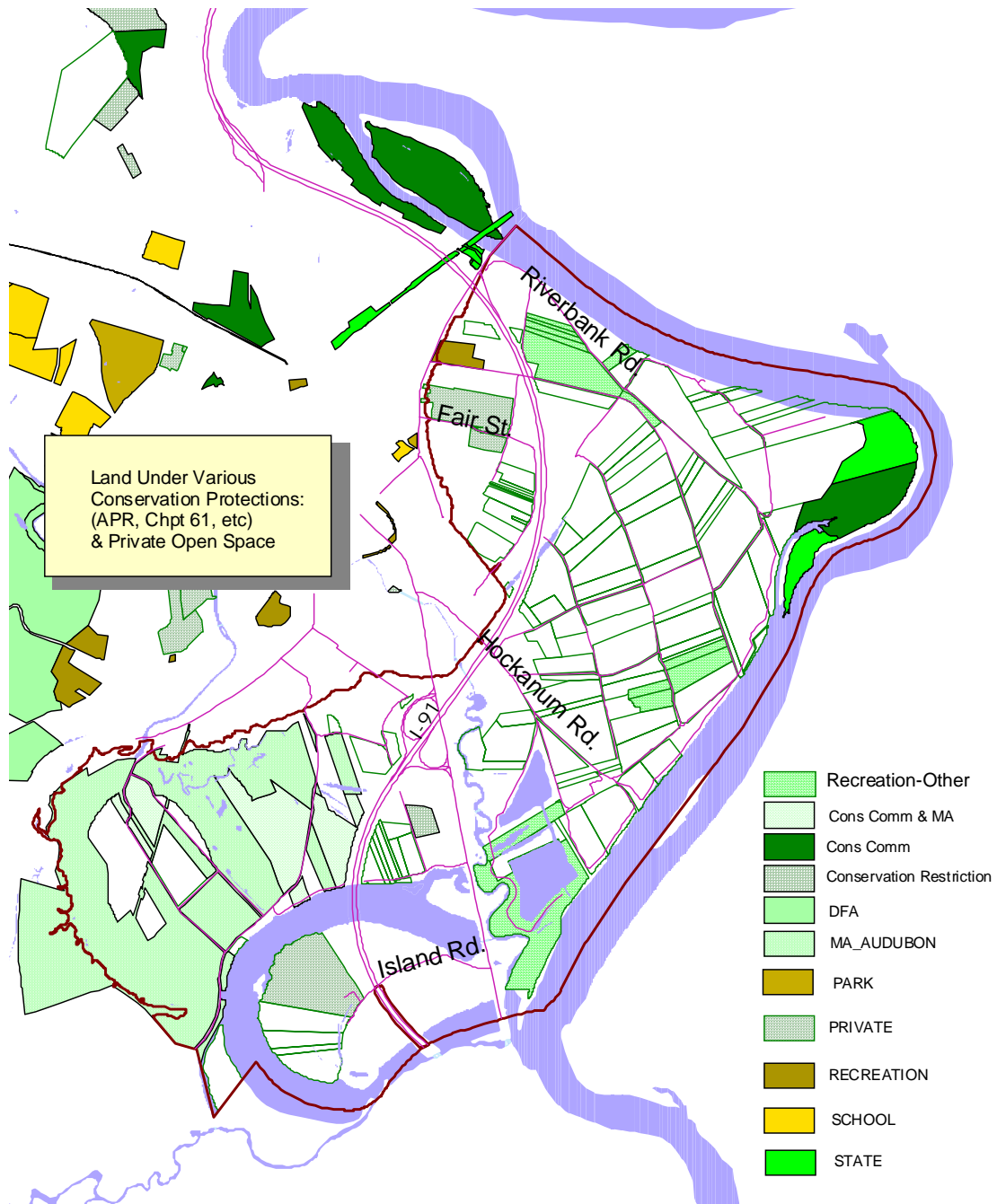
Section 6.2

{Amend §6.2 by making the following changes }:

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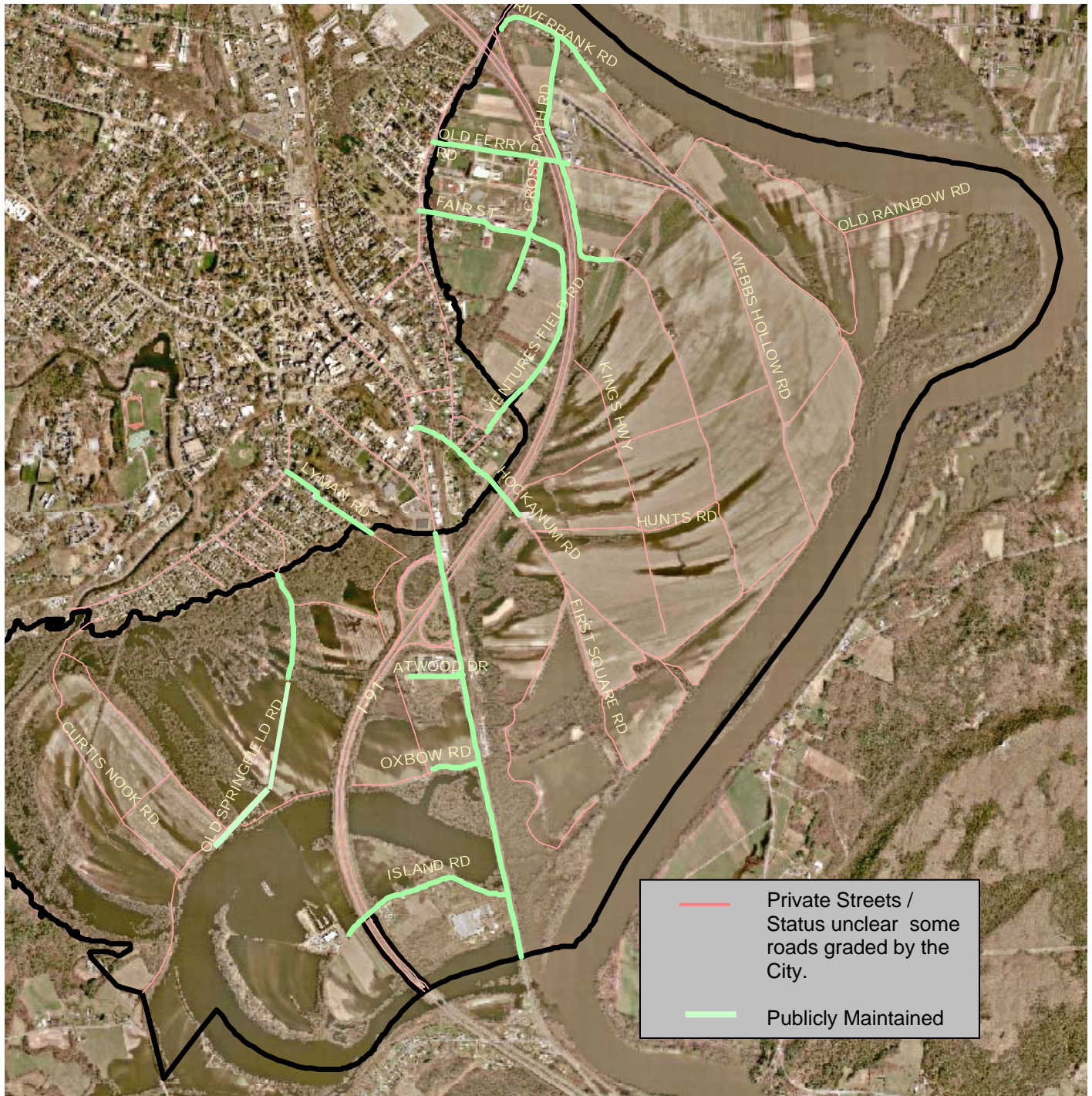
6.2 Table of Dimensional Regulations		Minimum Required Lot			Minimum Setback			Maximum Building Height	Minimum Open Space
Principal Use		Area	Frontage	Depth	Front	Side	Rear		
SC Special Conservancy Zoning District									
Any principal use <u>in existence on 6/30/05</u> being serviced by on-site water AND on-site sanitary sewage disposal		80,000	175	200	40 <u>20</u>	50 <u>15</u>	80 <u>20</u>	none <u>35</u>	95 <u>80</u> %
Any other Residential uses <u>in existence or with permits on 6/30/05</u>		50,000 <u>8,000</u>	175 <u>75</u>	200 <u>80</u>	40 <u>20</u>	50 <u>15</u>	80 <u>20</u>	none <u>35</u>	95 <u>50</u> %
Non-residential uses in existence on 6/30/05 and either approved through special permit or legal non-conformities		<u>40,000</u>	<u>175</u>	<u>200</u>	<u>40</u>	<u>20</u>	<u>50</u>	<u>35</u>	<u>80</u> %
Any new use -(does not apply to agricultural uses or open space.		<u>50 Acres</u>	<u>175</u>	<u>200</u>	<u>40</u>	<u>50</u>	<u>80</u>	<u>35</u>	<u>99</u> %

2.



3. Publicly Maintained Streets.

This Map includes the street segments that are generally accepted as public and publicly maintained by the Department of Public Works. These have all been officially accepted by the City. Some of the streets that are not publicly maintained may be deeded for public access and may have not formally been accepted by City Council and thus their status is not clear.



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4. Comments from Focus Group Meetings

	FARMERS Jan 6	WARD 3 ASSOCIATION Jan 12	OWNERS/RES Jan 19	BUSINESSES Jan 25	OTHERS Feb 1	Reconvene Feb 22
Changes Desired Or Envisioned for the future: What is the vision for the future 10 Years & Beyond?	None		No Changes from existing		Keep it like it is now- except for restoration of degraded areas to natural state.	Identify values for on region and statewide basis
					Land acquired for permanent protection.	Value of tourism
					No More dumping	
					Safer surroundings	
					System of Financial Resources & support to protect land	
					Cooperative Alliance to Support Farming and Protect Land. -	
					Diminished Pesticide Use	
Important features:	Ability to Maintain Farming	Agricultural Resource Area	Unique Farmland		Farming/Agricultural Resource	
		Open Space	Open Space	Open space (value added for business locations)	Wildlife Habitat	
		Wildlife Resource	Low Density		Forest and Fields	
		Beauty/ Health	Quiet		Residential Use/Neighborhoods	
		Recreational Resource: walking, biking, birding, boating, swimming, skiing,	Privacy		Bird Habitat- migratory corridor	
		Ecological Resource- Migration routes, nesting			Soils	
		Ability to live through local			Flat/Wide Paths (ADA	

	agricultural production				Accessible)	
	Accessibility				Floodplain Storage	
	Greenbelt				Public River Access	
	Environmentally Unique- enhances quality of life for city				Scenic Value/Vista	
	Airport as recreational resource				Recreational resource	
	Resource Proximity to town					Threat of a new I-91 interchange
Issues: * * some issues may have been raised by the same person at successive meetings	Dumping	Dumping	Dumping	Dumping	Dumping	
	Vandalism	Trespassing/Misuse of private land		Destruction of crops		
	Trespassing					
	River Erosion*	Riverbank Erosion- affecting farmland	Riverbank Erosion		Erosion along Rainbow Beach	
	Road Maintenance	Regulations		Overlapping regulatory structure	Lack of city services: Plowing, Sidewalks, Police Enforcement	
	Routine Maintenance	farm equipment unable to navigate narrow roads (Old Ferry)		Ability to expand businesses. (unclear paths)		
	Preservation of Farmland	Improvements to existing buildings		Inconsistent zoning with respect to business uses		
		Speeding Traffic			Pesticide Use/Genetically Modified Crops	
		New Development			Pressures for development	
		Invasive Species				
		ATV Use			ATV/Snowmobile Use- Local business ads promoting illegal use..	
Solutions:	Save/Protect Riverbank	Educate the public on appropriate uses on private vs. public lands	No new regulations	SC should be changed to reflect business uses.	Protect Ecological/Environmental Resources	More Policing may not necessarily be appropriate
		Regulatory changes needed- Allow improvements to existing	Allow expansions to existing	Support and Enable business expansion	Land Acquisition- Agricultural Lease,	Clean up Meadows

		buildings	structures- without compensatory. Flood storage		Recreation, Other	
	Improve Old Springfield Rd. Bridge to assist Farmers	Identify different areas for different treatment.	Treat "Developed" areas differently	Treat areas differently- major corridors are different.	Restrict Future Development – equally on both sides of 91 (No New Development)	Spell out action items for funding
		Define areas to protect/ preserve from development	No new Residential Structures	Expand General Business Zoning District	Re-Evaluate All Regulations	Provide specifics for action items
	Long-term Police Presence to address Vandalism, trespassing, dumping	Preserve farming through: --Police protection, --Road maintenance, and --Improving the Old Springfield Rd. Bridge	Better Police Presence	Community policing	Ease Zoning for Existing Residences (without New Development)-Expansion	
		Promoting natural farming	No changes to existing uses	Allow for special permit options for some uses in the SC district with respect to open space calculations or other criteria.	Itemize Existing Regulation Framework, Clarify Requirements	
		Need to widen Old Ferry to accommodate farm vehicles	Road Maintenance	Preserve farmland through better enforcement.	Zoning Changes	
					Reinstate open space funding to purchase land	
					Protect Farming (Through Community Alliance)	
					Protect Floodplain . Storage Capacity	
					Control of Invasive Species,	
					Evaluate Use of Pesticide & look at reduction of use	
					Encourage Non-Motorized Use of Trails/Roads (Recreational Purposes)- Safety	

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Other Comments Plan Elements:				Work on Community Preservation Act	
				Financial Incentives to Protect Land (Tax Abatement)	
				Use UMASS as a Resource to Evaluate Impacts of Pesticide	
	Include Map of Public vs. Private Roads within plan	Public and Private Land Ownership	Investigate planned FEMA Elevation Changes	Establish a “dog run” area.	
	Explore Community Preservation Act options & other funding Mechanisms to implement plan goals: farm preservation	Compensation			
	Community Clean-up/City Organized				